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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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MARTINEZ AYTCH,  
  
Plaintiff,  
  
vs.  
  
CYNTHIA SABLICA, *et al.*,  
  
Defendants.

2:08-cv-01773-RLH-VCF

**ORDER**

Before the court is plaintiff's Motion for Transcripts at State Expense (#139). Defendants filed a Response (#140).

Plaintiff's motion cites no authority to support his request. In response, defendants correctly cite 28 U.S.C. § 753(f) as the law governing the circumstances in which the court may authorize the payments of fees, by the United States, for furnishing transcripts to party appealing *in forma pauperis*.

In pertinent part, 28 U.S.C. § 753(f) provides:

Fees for transcripts furnished in other proceedings to persons permitted to appeal in forma pauperis shall also be paid by the United States if the trial judge or a circuit judge certifies that the appeal is not frivolous (but presents a substantial question).

Plaintiff's Notice of Appeal (#133) provides no insight regarding the basis of his appeal. It merely states that he appeals "from the Jury Verdict." In his Motion for Transcripts (#139), Plaintiff

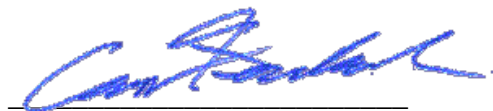
1 does not provide any information on which the court can rely in making a determination that his appeal  
2 “is not frivolous (but presents a substantial question).”

3 The grounds on which he seeks to overturn the Jury Verdict do not appear in the record.  
4 Therefore, the court cannot certify that plaintiff’s appeal is not frivolous.

5 Accordingly,

6 IT IS HEREBY ORDERED that plaintiff’s Motion for Transcripts at State Expense (#139) is  
7 DENIED.

8 Dated this 15th day of January, 2014.



9 CAM FERENBACH  
10 UNITED STATES MAGISTRATE JUDGE  
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